(d) Does not arise

Fraud Cases of SC|ST certificates

663. SHRI GHUFRAN AZAM: Will the Minister of WELFARE be pleased to state:

(a) how many fraud cases of Scheduled Caste Certificate holders have come to the notice of Government so far during the year 1994;

(b) how many out of the above cases were students, beneficiaries of DDA flat allotments of Government servants separately;

(c) the number of cases pending with the Commission for verification of caste for Scheduled Castes and Scheduled Tribes Certificates; and

(d) how many of the cases were substantiated and how many of them are under investigation?

THE MINISTER OF WELFARE (SHRI SITARAM KESRI): (a) and (b) The information is being collected.

(c) and (d) Out of the 79 complaints received in 1994, the Commission has initiated investigation into 48 cases, which have been taken up with the concerned authorities for verification. The investigation has not concluded in any of the above cases.

Newspaper Report on Reservation for Muslims

664. PROF. VIJAY KUMAR MALHOTRA: Will the Minister of WELFARE be pleased to state:

(a) whether the attention of the Government has been drawn to the news item captioned "Musalmano Ke Liye aabadi ke hisaab se aarakshan maanga" which appeared in the Dainik Jagaran dated the 10th October, 1994;

(b) if so, the details thereof; and

(c) the reaction of the Government thereto?

THE MINISTER OF WELFARE (SHRI SITARAM KESRI): (a) Yes, Sir

(b) According to the news item, a National Convention under the aegis of the Association for Promoting Education and Employment of Muslims was held at New Delhi on 9th October 1994. The participants at the Convention who included a number of Muslims and other prominent citizens from other communities expressed serious concern about the social, educational and economic backwardness of Muslims and felt that they should be declared as "Backward Class" under Articles 15(4) and 16(4) of the Constitution. The Convention passed a Resolution that Muslims should be given the benefit of reservation in proportion to their population both in services as well as educational institutions;

(c) There is no proposal under consideration in the Ministry of Welfare for providing reservation to the Muslims. However, the Central Government, several State Governments and Union Territories have included certain sections of Muslim community in their list of OBCs for the purposes of providing reservation in services under Article 16(4) of the Constitution, treating them as OBCs.

मंडल आयोग की सिफारिशों का क्रियान्वय

665. **श्री रामजी लाल** : क्या कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मंडल आयोग की सिफारिशों को सभी राज्यों में क्रियान्वित कर दिया गया है यदि हां, तो, इस संबंध में राज्य-वार ब्यौरा क्या है और इसके फलस्वरूप अभी तक कितने व्यक्तियों को रोजगार सुलभ करा दिया गया है ;

(ख) शेष राज्यों में इस योजना को कब तक क्रियान्वित कर दिये जाने की संभावना है ;

(ग) क्या केन्द्रीय सरकार मंडल आयोग के संबंध में उच्चतम न्यायालय द्वारा 1992 मे दिये गये अपने निर्णय के समय से ही संविधान के अन्तर्गत स्थापित सचिवालय के अन्तर्गत स्थापित सचिवालय में सचिव के स्तर तक अनुसूचित जाति/अनुसूचित जनजाति/अन्य पिछड़े वर्गों के व्यक्तियों के लिये आरक्षण के प्रावधान को क्रियान्वित करने का विचार रखती है;

(घ) यदि हां, तो इस संबंध में ब्यौरा क्या है और कितने व्यक्तियों को सचिव स्तर तक पदोन्नत किया गया है; और

(ङ) यदि नहीं, तो इसके क्या कारण है और इस योजना को कब तक क्रियान्वित कर दिये जाने की संभावना है ?

कल्याण मंत्री : श्री सीता राम केसरी) (क) और (ख) सूचना एकत्र की जा रही है । और सभा पटल पर रख दी जायेगी ।

(ग) अब तक समूह "क" के निम्नतम स्तर की सेवाओ में जोकि सचिवालय स्तर में तैनाती भारत सरकार के अवर सचिव के समतुल्य हैं तक पदोन्नति में अनुसूचित जातियों/ जनजातियों के लिये आरक्षण है । पदोन्नति में अन्य पिछड़े वर्गों के लिये आरक्षण नहीं है तथापि, पदोन्नति में आरक्षण के संबंध में उच्चतम न्यायालय ने अपने निर्णय मे इस निर्णय की तारीख दिनाक 16-11-92 से केवल पांच वर्ष की अवधि तक अनुमति दी है । सरकार यह जांच कर रही है कि उपर्युक्त 5 वर्ष की अवधि से आगे पदोन्नति में अनुसूचित जातियों और अनुसूचित जनजातियों के लिये आरक्षण की नीति को किस प्रकार सुरक्षा की जाये ।

(घ) और (ङ) सूचना एकत्र की जा रही है और सभा पटल पर रख दी जायेगी ।

Supreme Court Direction Regarding Reservation Quota

666. SHRI V. NARAYANASAMY: Will the Minister of WELFARE be pleased to state:

(a) whether the Supreme Court of India has issued any directions recently restraining Karnataka Government from exceeding 50 per cent reservation quota in the engineering, medical and dental colleges;

(b) if so, the reaction of the Government in the matter;

(c) the steps taken/proposed to be taken by Government to bring in constitutional amendment to makes reservation quota uniform throughout the country; and

(d) by when Government propose to bring forward such legislation?

THE MINISTER OF WELFARE (SHRI SITARAM KESRI): (a) The Supreme Court has stayed the operation of the Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation of seats in educational institutions and of appointments or posts in the services under the State) Act 1994 providing overall reservation at 73 per cent for Backward Classes, Scheduled Castes and Scheduled Tribes.

(b) The Supreme Court order pertains to the enactment made by the State Government of Karnataka. Since the Supreme Court order pertains to the enactment made by hte State Government of Karnataka and the matter is sill subjudice no action is deemed necessary at this stage.

(c) Since the Constitutional responsibilities for providing reservation rests both with the Central Government and State Governments, it is not possible to have any uniform reservation quota throughout the country

(d) Does not arise.